

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CODY CORY LEAVITT,

Petitioner,

vs.

DWIGHT NEVEN, *et al.*,

Respondents.

2:12-cv-00987-JCM-CWH

**ORDER**

On October 16, 2015, this court entered an order staying this action to allow petitioner Leavitt to exhaust his state remedies for all his claims. ECF No. 74. On July 29, 2016, Leavitt filed a motion to lift the stay and reopen these proceedings, indicating that his state court proceedings have been concluded. ECF No. 77. Respondents have expressly indicated that they do not oppose the motion. ECF No. 78.

Good cause appearing, the court shall reopen proceedings in this matter. In addition, the court shall establish a schedule for further litigation of this action.

**IT IS THEREFORE ORDERED** that petitioner's motion to lift stay (ECF No. 77) is GRANTED. The Clerk shall administratively REOPEN this action. The stay of this action is lifted.

**IT IS FURTHER ORDERED** that the following schedule shall govern the further litigation of this action:

1. **Response to Petition.** Respondents shall have **60 days** to file and serve an answer or other response to the amended petition (ECF No. 54).

3. **Briefing of Motion to Dismiss.** If respondents file a motion to dismiss, petitioner shall have **30 days** following service of the motion to file an opposition to the motion. Respondents shall thereafter have **30 days** following service of the opposition to the motion to file and serve a reply.

James C. Mahan  
UNITED STATES DISTRICT JUDGE